

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

WHITNEY HUDGINS,
Plaintiff,

v.

EDUARDO HADLEY,
RAIMONDA MARKEVICIENE,
Z TRANS, INC. and
MIDAMERICA ENTERPRISES, INC.,
Defendants.

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§
§

CIVIL ACTION NO. _____

APPENDIX TO DEFENDANTS' NOTICE OF REMOVAL

Respectfully submitted,

MARTIN, DISIERE, JEFFERSON & WISDOM, L.L.P.

By: /s/Alan Moore

MARK J. DYER

State Bar No. 06317500

ALAN MOORE

State Bar No. 14320075

16000 North Dallas Pkwy.

Suite 800

Dallas, Texas 75248

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been e-served to all attorneys of record, in compliance with the Federal Rules of Civil Procedure, on this the 24th day of March, 2017.

James P. Best
BEST, WATSON & GILBERT, P.C.
870 W. I-30; Suite 100
Garland, Texas 75043

/s/Alan Moore
ALAN MOORE

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Case Information

CC-17-00786-A | WHITNEY HUDGINS vs. EDUARDO HADLEY, RAIMONDA MARKEVICIENE, Z TRANS. INC..et al

Case Number	Court	File Date
CC-17-00786-A	County Court at Law No. 1	02/15/2017
Case Type	Case Status	
DAMAGES (COLLISION)	OPEN	

Party

PLAINTIFF
HUDGINS, WHITNEY

Address
870 W. Interstate 30
N/A
Garland TX 75043

Active Attorneys ▼
Lead Attorney
WATSON, PATRICK R
Retained

Work Phone
214-528-6060

Fax Phone
214-528-0712

DEFENDANT
HADLEY, EDUARDO

Address
SERVE THROUGH CHAIR OF THE TEXAS TRANSPORTATION COMMISSION
125 E11TH ST.
AUSTIN TX 78701-2483

Active Attorneys ▼

Lead Attorney**DYER, MARK J****Retained**

Work Phone

214-420-5500

Fax Phone

214-420-5501

DEFENDANT

MARKEVICIENE, RAIMONDA**Address****SERVE THROUGH CHAIR OF THE TEXAS TRANSPORTATION COMMISSION****125 E 11TH ST.****AUSTIN TX 78701-2483**

Active Attorneys ▼

Lead Attorney**MOORE, ALAN POWERS****Retained**

Work Phone

214-420-5500

Fax Phone

214-420-5501

DEFENDANT

Z TRANS, INC.**Address****SERVE THROUGH SECRETARY OF TSTE , STATE OF TEXAS****1019 BRAZOS , RM 220****AUSTIN TX 78701**

Active Attorneys ▼

Lead Attorney**MOORE, ALAN POWERS****Retained**

Work Phone

214-420-5500

Fax Phone

214-420-5501

DEFENDANT

MIDAMERICA ENTERPRISES, INC.

Address

SERVE THROUGH SECRETARY OF STATE, STATE OF TEXAS
1019 BRAZOS, RM 220
AUSTIN TX 78701

Documents

COVER LETTER

CIVIL CASE INFORMATION SHEET

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

ISSUE CITATION

ISSUE CITATION

ISSUE CITATION

ISSUE CITATION

RETURN OF SERVICE

RETURN OF SERVICE

RAIMONDA MARKEVICIENE SERVED:2/24/2017 RETURNED:2/28/2017

EDUARDO HADLEY SERVED:2/24/2017 RETURNED:2/28/2017

RETURN OF SERVICE - EDUARDO

DEFENDANT'S ORIGINAL ANSWER

ORIGINAL ANSWER - GENERAL DENIAL

CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY):

CC-17-00786-A

COURT (FOR CLERK USE ONLY):

STYLED Whitney Hudgins v. Eduardo Hadley, et al

(e.g., John Smith v. All American Insurance Co.; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact Information for person completing case information sheet: Name: <u>Patrick Watson</u> Email: <u>pr.watson@yahoo.com</u> Address: <u>870 W. I-30</u> Telephone: <u>(214) 528-6060</u> City/State/Zip: <u>Garland, TX 75043</u> Fax: <u>(214) 528-0712</u> Signature: <u>[Signature]</u> State Bar No: <u>00797633</u>		Names of parties in case: Plaintiff(s)/Petitioner(s): <u>Whitney Hudgins</u> Defendant(s)/Respondent(s): <u>Eduardo Hadley, et al</u> (Attach additional page as necessary to list all parties)		Person or entity completing sheet is: <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____					
2. Indicate case type, or identify the most important issue in the case (select only 1):									
Civil			Family Law						
Contract <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:		Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <input type="checkbox"/> Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input checked="" type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <input type="checkbox"/> Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage:		Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:		Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:		Post-judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:							
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		Probate & Mental Health Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:							
3. Indicate procedure or remedy, if applicable (may select more than 1):									
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover					
4. Indicate damages sought (do not select if it is a family law case): <input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input checked="" type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000									

Rcv 2/13

DEFS 004

Cause No. CC-17-00786-A

WHITNEY HUDGINS

IN THE COUNTY COURT

VS.

AT LAW NO. _____

EDUARDO HADLEY, RAIMONDA
MARKEVICIENE, Z TRANS, INC. and
MIDAMERICA ENTERPRISES, INC.

DALLAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

NOW COMES Plaintiff Whitney Hudgins, complaining of Defendants Eduardo Hadley, Raimonda Markeviciene, Z Trans, Inc. and MidAmerica Enterprises, Inc., and for causes of action would respectfully show the Court as follows:

DISCOVERY LEVEL

1. Plaintiff affirmatively pleads that she seek monetary relief over \$200,000 but not more than \$1,000,000. Discovery is to be conducted under Level 3, Tex. R. Civ. P. 190.4.

PARTIES

2. Plaintiff is an individual residents of Dallas County, Texas.

3. Defendant Eduardo Hadley is an individual resident of Hazel Crest, Illinois, who resides at 3117 Shagbark Ln., Hazel Crest, Illinois 60429, and may be served with process through Ted Houghton, Chair of the Texas Transportation Commission, at 125 E. 11th St., Austin, Texas 78701-2483.

4. Defendant Raimonda Markeviciene is an individual resident of Hindsdale, Illinois, who resides at 5602 S. Childs Ave., Hindsdale, Illinois 60521, and may be served with process through Ted Houghton, Chair of the Texas Transportation Commission, at 125 E. 11th St., Austin, Texas 78701-2483.

5. Defendant Z Trans, Inc. is an Illinois Corporation, whose registered agent is Zbigniew Pierwola located at 16200 Ridgewood Dr., Homer Glen, Illinois 60491, and may be served with citation through the Texas Secretary of State, John Steen, James E. Rudder Building, 1019 Brazos, Rm. 220, Austin, Texas 78701.

6. Defendant MidAmerica Enterprises, Inc., is an Illinois Corporation, whose registered agent is Ramonda Markeviciene located at 5602 Childs Ave., Hindsdale, Illinois 60521, and may be served with citation through the Texas Secretary of State, John Steen, James E. Rudder Building, 1019 Brazos, Rm. 220, Austin, Texas 78701.

7. Defendant Eduardo Hadley, as named in this petition is intended by Plaintiff to indicate the operator of the vehicle involved in the motor vehicle collision with Plaintiff on or about April 7, 2015 in Dallas County, Texas.

VENUE

8. Venue is proper in Dallas County, Texas; all or part of Plaintiff's cause of action arose here.

JURISDICTION

9. Plaintiff seeks damages within the jurisdictional minimum of this Court.

FACTS

10. On or about April 7, 2015, Plaintiff Whitney Hudgins was traveling southbound on I-35 in Dallas, Dallas, Dallas County, Texas. Defendant Eduardo Hadley, operating a motor vehicle in the course and scope of his employment with Defendants Raimonda Markeviciene, Z Trans, Inc. and MidAmerica Enterprises, Inc., also traveling southbound on I-35, attempted to change lanes into Plaintiff's lane of travel and struck Plaintiff's vehicle, damaging Plaintiff's vehicle and inflicting injury upon Plaintiff. The collision and injuries to Plaintiff were proximately caused by the negligence of Defendant Eduardo Hadley and Defendants Raimonda Markeviciene, Z Trans, Inc. and MidAmerica Enterprises, Inc., through their agent, servant, or employee, Defendant Eduardo Hadley in the following respects:

- (a) Failure to keep a proper lookout;
- (b) Failure to maintain proper control of the vehicle;
- (c) Failure to sufficiently or properly apply brakes;
- (d) Failure to take proper evasive action to avoid a collision;
- (e) Failure to maintain an assured clear distance between the vehicles;
- (f) Traveling at a rate of speed that was excessive under the circumstances and conditions prevailing at the time of the collision; and
- (g) Driver inattention.

DAMAGES

11. As the result of Defendants' negligence, Plaintiff suffered injuries. As the result of Defendants' negligence, Plaintiff has suffered lost wages, pain, suffering, mental anguish, physical impairment, and a diminished capacity to pursue normal activities. Plaintiff's pain and suffering has continued since the date of the collision and will, in all probability, continue into the future.

12. Plaintiff received reasonable and necessary medical treatment and health care for the injuries suffered in the collision and will likely continue to receive treatment in the future. As the result of Defendants' negligence, Plaintiff has incurred fair, reasonable, usual, and customary medical and health-care expenses for that treatment, and will likely incur additional medical expenses in the future.

13. The collision caused damage to Plaintiff's vehicle. Plaintiff thus seeks to recover damages for the loss of use of such vehicle and, alternatively, the difference in the market value of the vehicle immediately before and immediately after the collision or the reasonable cost to restore the vehicle to the condition it was in immediately before the collision.

PLAINTIFF'S REQUEST FOR DISCLOSURE

Pursuant to Rule 194, you are requested to disclose, within 50 days of service of this request, the information or material described in Rule 194.2 (a - l).

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be duly cited to appear and answer herein and that, upon final trial hereof, Plaintiff recovers judgment against Defendants for her damages as set forth above; pre-judgment and post-judgment interest; costs of Court; and such other and further relief to which Plaintiff may be justly entitled, whether at law or in equity.

Respectfully submitted,

BEST, WATSON & GILBERT, P.C.
870 W. I-30, Suite 100
Garland, Texas 75043
(214) 528-6060
(214) 528-0712 [Telecopier]

By: _____

James P. Best
State Bar No. 02263950

ATTORNEYS FOR PLAINTIFF

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

**EDUARDO HADLEY
SERVE THROUGH TED HOUGHTON, CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E 11TH ST
AUSTIN TX 78701-2483**

"You have been sued. You may employ an attorney. If you or your Attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Your answer should be addressed to the clerk of County Court at Law No. 1 of Dallas County, Texas at the Court House of said County, 600 Commerce Street, Suite 101, Dallas, Texas 75202.

**WHITNEY HUDGINS
*Plaintiff(s)***

VS.

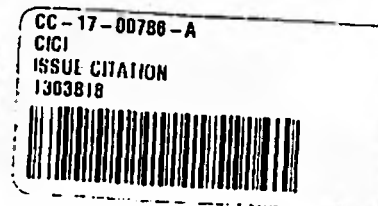
**EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA
ENTERPRISES, INC.
*Defendant(s)***

filed in said Court on the 15th day of February, 2017 a copy of which accompanies this citation.

WITNESS: JOHN F. WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY HAND AND SEAL OF OFFICE, at Dallas, Texas, and issued this 23rd day of February, 2017 A.D.

JOHN F. WARREN, Dallas County Clerk

By Guisla Hernandez, Deputy
Guisla Hernandez



ATTORNEY

**CITATION
PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
Defendant(s)

SERVE:

**EDUARDO HADLEY
SERVE THROUGH TED HOUGHTON
CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E11TH ST
AUSTIN TX 78701-2483**

**ISSUED THIS
23RD DAY OF FEBRUARY, 2017**

JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY

Attorney for Plaintiff

**PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060**

NO OFFICER'S FEES HAVE BEEN
COLLECTED BY DALLAS COUNTY CLERK

DEFS 009

OFFICER'S RETURN

CC-17-00786-A County Court at Law No. 1

WHITNEY HUDGINS vs. EDUARDO HADLEY, RAIMONDA MARKEVICIENE, Z TRANS, INC..et al

ADDRESS FOR SERVICE:

SERVE THROUGH TE HOUGHTON CHAIR OF THE TEXAS TRANSPORTATION COMMISSION
125 E 11TH ST
AUSTIN TX 78701-2483

Fees:

Came to hand on the ____ day of _____, 20_____, at ____ o'clock ____ .m., and executed in _____ County, Texas by delivering to EDUARDO HADLEY in person, a true copy of this Citation together with the accompanying copy of the PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE with the date and service at the following times and places to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

_____ and the cause or failure to execute this process is:

_____ and the information received as to the whereabouts of said defendant(s) being:

Serving Petition and Copy \$ _____, Officer

Total \$ _____, County, Texas

By: _____, Deputy

_____, Affiant

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

**RAIMONDA MARKEVICIENE
SERVE THROUGH TED HOUGHTON, CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E 11TH ST
AUSTIN TX 78701-2483**

"You have been sued. You may employ

an attorney. If you or your Attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Your answer should be addressed to the clerk of County Court at Law No. 1 of Dallas County, Texas at the Court House of said County, 600 Commerce Street, Suite 101, Dallas, Texas 75202.

**WHITNEY HUDGINS
*Plaintiff(s)***

VS.

**EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA
ENTERPRISES, INC.
*Defendant(s)***

filed in said Court on the 15th day of February, 2017 a copy of which accompanies this citation.

WITNESS: JOHN F. WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY HAND AND SEAL OF OFFICE, at Dallas, Texas, and issued this 23rd day of February, 2017 A.D.

JOHN F. WARREN, Dallas County Clerk

By *Guisla Hernandez*, Deputy
Guisla Hernandez



CC-17-00786-A
CICI
ISSUE CITATION
1383819



ATTORNEY

**CITATION
PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

**IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas**

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

**EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
*Defendant(s)***

SERVE:

**RAIMONDA MARKEVICIENE
SERVE THROUGH TED HOUGHTON
CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E 11TH ST
AUSTIN TX 78701-2483**

**ISSUED THIS
23RD DAY OF FEBRUARY, 2017**

**JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY**

Attorney for Plaintiff

**PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060**

**NO OFFICER'S FEES HAVE BEEN
COLLECTED BY DALLAS COUNTY CLERK**

OFFICER'S RETURN

CC-17-00786-A County Court at Law No. 1

WHITNEY HUDGINS vs. EDUARDO HADLEY, RAIMONDA MARKEVICIENE, Z TRANS, INC..et al

ADDRESS FOR SERVICE:

SERVE THROUGH TE HOUGHTON CHAIR OF THE TEXAS TRANSPORTATION COMMISSION
125 E11TH ST
AUSTIN TX 78701-2483

Fees:

Came to hand on the ____ day of _____, 20_____, at ____ o'clock ____ .m., and executed in _____ County, Texas by delivering to RAIMONDA MARKEVICIENE in person, a true copy of this Citation together with the accompanying copy of the PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE with the date and service at the following times and places to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

_____ and the cause or failure to execute this process is:

_____ and the information received as to the whereabouts of said defendant(s) being:

Serving Petition and Copy \$ _____, Officer

Total \$ _____, County, Texas

By: _____, Deputy

_____, Affiant

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

Z TRANS, INC..
SERVE THROUGH SECRETARY OF STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

Z TRANS, INC..
16200 RIDGEWOOD DR.
HOMER GLEN, IL 60491

"You have been sued. You may employ an attorney.
If you or your Attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Your answer should be addressed to the clerk of County Court at Law No. 1 of Dallas County, Texas at the Court House of said County, 600 Commerce Street, Suite 101, Dallas, Texas 75202.

WHITNEY HUDGINS
Plaintiff(s)

VS.

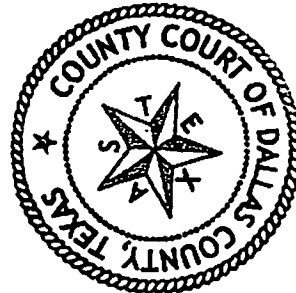
EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA ENTERPRISES, INC.
Defendant(s)

filed in said Court on the 15th day of February, 2017 a copy of which accompanies this citation.

WITNESS: JOHN F. WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY HAND
AND SEAL OF OFFICE, at Dallas, Texas, and issued this 23rd day of February, 2017 A.D.

JOHN F. WARREN, Dallas County Clerk

By Guisla Hernandez, Deputy
Guisla Hernandez



CC-17-00786-A
CIC1
ISSUE CITATION
1363622



ATTORNEY

**CITATION
PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
Defendant(s)

SERVE:

Z TRANS, INC..
SERVE THROUGH SECRETARY OF STATE
STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

Z TRANS, INC..
16200 RIDGEWOOD DR.
HOMER GLEN, IL 60491

ISSUED THIS
23RD DAY OF FEBRUARY, 2017

JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY

Attorney for Plaintiff

PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060

NO OFFICER'S FEES HAVE BEEN
COLLECTED BY DALLAS COUNTY CLERK

DEFS 013

OFFICER'S RETURN

CC-17-00786-A County Court at Law No. 1

WHITNEY HUDGINS vs. EDUARDO HADLEY, RAIMONDA MARKEVICIENE, Z TRANS, INC..et al

ADDRESS FOR SERVICE:
SERVE THROUGH SECRETARY OF STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

Z TRANS, INC.
16200 RIDGEWOOD DR.
HOMER GLEN, IL 60491

Fees:

Came to hand on the ____ day of _____, 20____, at ____ o'clock ____ m., and executed in _____ County, Texas by delivering to MIDAMERICA ENTERPRISES, INC. in person, a true copy of this Citation together with the accompanying copy of the PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE with the date and service at the following times and places to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

_____ and the cause or failure to execute this process is:

_____ and the information received as to the whereabouts of said defendant(s) being:

Serving Petition and Copy \$ _____, Officer

Total \$ _____, County, Texas

By: _____, Deputy

_____, Affiant

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

MIDAMERICA ENTERPRISES, INC.
SERVE THROUGH SECRETARY OF STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

MIDAMERICA ENTERPRISES, INC.
5602 CHILDS AVE.
HINDSDALE, IL 60521

"You have been sued. You may employ an attorney.

If you or your Attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Your answer should be addressed to the clerk of County Court at Law No. 1 of Dallas County, Texas at the Court House of said County, 600 Commerce Street, Suite 101, Dallas, Texas 75202.

WHITNEY HUDGINS
Plaintiff(s)

VS.

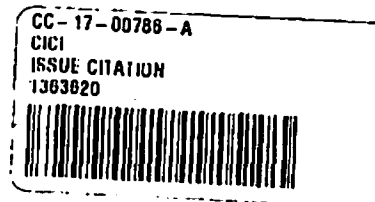
EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA ENTERPRISES, INC.
Defendant(s)

filed in said Court on the 15th day of February, 2017 a copy of which accompanies this citation.

WITNESS: JOHN F. WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY HAND AND SEAL OF OFFICE, at Dallas, Texas, and issued this 23rd day of February, 2017 A.D.

JOHN F. WARREN, Dallas County Clerk

By Guisla Hernandez, Deputy
Guisla Hernandez



**ATTORNEY
CITATION
PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
Defendant(s)

SERVE:

MIDAMERICA ENTERPRISES, INC.
SERVE THROUGH SECRETARY OF
STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

MIDAMERICA ENTERPRISES, INC.
5602 CHILDS AVE.
HINDSDALE, IL 60521

ISSUED THIS
23RD DAY OF FEBRUARY, 2017

JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY

Attorney for Plaintiff

PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060

NO OFFICER'S FEES HAVE BEEN
COLLECTED BY DALLAS COUNTY CLERK
DEFS 015

OFFICER'S RETURN

CC-17-00786-A County Court at Law No. 1

WHITNEY HUDGINS vs. EDUARDO HADLEY, RAIMONDA MARKEVICIENE, Z TRANS, INC., et al

ADDRESS FOR SERVICE:

SERVE THROUGH SECRETARY OF STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

MIDAMERICA ENTERPRISES, INC.
5602 CHILDS AVE.
HINDSDALE, IL 60521

Fees:

Came to hand on the ____ day of _____, 20____, at ____ o'clock ____ m., and executed in _____ County, Texas by delivering to MIDAMERICA ENTERPRISES, INC. in person, a true copy of this Citation together with the accompanying copy of the PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE with the date and service at the following times and places to-wit:

Name

Date/Time

Place, Course and Distance from Courthouse

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

_____ and the cause or failure to execute this process is:

_____ and the information received as to the whereabouts of said defendant(s) being:

Serving Petition and Copy

\$ _____

_____, Officer

Total \$ _____

_____, County, Texas

By: _____, Deputy

_____, Affiant

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

Z TRANS, INC..
SERVE THROUGH SECRETARY OF STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

Z TRANS, INC..
16200 RIDGEWOOD DR.
HOMER GLEN, IL 60491

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WHITNEY HUDGINS
Plaintiff(s)

VS.

EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA ENTERPRISES, INC..
Defendant(s)

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By Guisla Hernandez, Deputy
Guisla Hernandez



ATTORNEY

**CITATION
PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC..
Defendant(s)

SERVE:

Z TRANS, INC..
SERVE THROUGH SECRETARY OF STATE
STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

Z TRANS, INC..
16200 RIDGEWOOD DR.
HOMER GLEN, IL 60491

ISSUED THIS
23RD DAY OF FEBRUARY, 2017

JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY

Attorney for Plaintiff

PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060

RETURN OF SERVICE

Cause No. CC-17-00786-A

**In The County Court at Law No. 1 of
Dallas County, Texas**

WHITNEY HUDGINS
Plaintiff

V.

EDUARDO HADLEY,
et al

Defendant

Came to hand on February 24, 2017, at 08:00 AM.

Executed at 1019 Brazos Street, 1st Floor, Austin, TX 78701, within the County of Travis at 10:21 AM on February 24, 2017, by delivering to the within named:

Z TRANS, INC.

by delivering to **THE TEXAS SECRETARY OF STATE**, by and through its designated agent, **LIZ CORDELL**, true duplicate copies of this Citation together with Plaintiff's Original Petition and Request for Disclosure, having first endorsed upon both copies of such process the date of delivery, and tendering the \$55 Statutory Fee.

I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 059122 under rule 103, 501 and 501.2 of the TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the abovereferenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the abovereferenced cause.

By: _____

Jeff Keyton

SCH 735, Exp: 7/31/2017

VERIFICATION

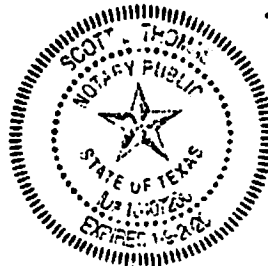
STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Jeff Keyton, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this February 24, 2017.

NOTARY PUBLIC, STATE OF TEXAS

17-025078/Hudgins



**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

MIDAMERICA ENTERPRISES, INC.
SERVE THROUGH SECRETARY OF STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

MIDAMERICA ENTERPRISES, INC.
5602 CHILDS AVE.
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WHITNEY HUDGINS
Plaintiff(s)

VS.

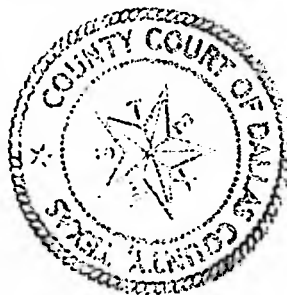
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Defendant(s)

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JOHN F. WARREN, Dallas County Clerk

By Guisla Hernandez, Deputy
Guisla Hernandez



ATTORNEY

**CITATION
PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
Defendant(s)

SERVE:

MIDAMERICA ENTERPRISES, INC.
SERVE THROUGH SECRETARY OF
STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

MIDAMERICA ENTERPRISES, INC.
5602 CHILDS AVE.
HINDSDALE, IL 60521

**ISSUED THIS
23RD DAY OF FEBRUARY, 2017**

JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY

Attorney for Plaintiff

PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060

RETURN OF SERVICE

Cause No. CC-17-00786-A

**In The County Court at Law No. 1 of
Dallas County, Texas**

**WHITNEY HUDGINS
Plaintiff**

V.

**EDUARDO HADLEY,
et al
Defendant**

Came to hand on February 24, 2017, at 08:00 AM.

**Executed at 1019 Brazos Street, 1st Floor, Austin, TX 78701, within the County of Travis at 10:21 AM on
February 24, 2017, by delivering to the within named:**

MIDAMERICA ENTERPRISES, INC.

**by delivering to THE TEXAS SECRETARY OF STATE, by and through its designated agent, LIZ
CORDELL, true duplicate copies of this Citation together with Plaintiff's Original Petition and Request
for Disclosure, having first endorsed upon both copies of such process the date of delivery, and
tendering the \$55 Statutory Fee.**

**I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under rule 103, 501 and 501.2 of the
TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am
competent to make this oath; I am not less than 18 years of age, I am not a party to the abovereferenced cause, I have not been
convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the abovereferenced cause.**

By:

**Jeff Keyton
SCH 735, Exp: 7/31/2017**

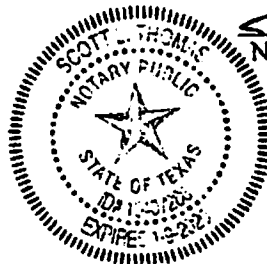
VERIFICATION

**STATE OF TEXAS §
COUNTY OF TRAVIS §**

**BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Jeff Keyton, known to me to be the person whose
name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained
are true and correct.**

Given under my hand and seal of office this February 24, 2017.

17-025077/Hudgins



NOTARY PUBLIC, STATE OF TEXAS

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

RAIMONDA MARKEVICIENE
SERVE THROUGH TED HOUGHTON, CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E 11TH ST
AUSTIN TX 78701-2483

"You have been sued. You may employ an attorney. If you or your Attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Your answer should be addressed to the clerk of County Court at Law No. 1 of Dallas County, Texas at the Court House of said County, 600 Commerce Street, Suite 101, Dallas, Texas 75202.

WHITNEY HUDGINS
Plaintiff(s)

VS.

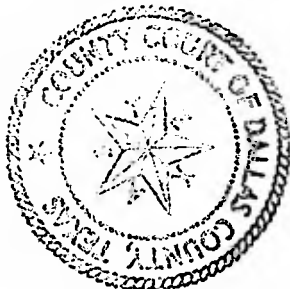
**EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA
ENTERPRISES, INC.**
Defendant(s)

filed in said Court on the 15th day of February, 2017 a copy of which accompanies this citation.

WITNESS: JOHN F. WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY HAND AND SEAL OF OFFICE, at Dallas, Texas, and issued this 23rd day of February, 2017 A.D.

JOHN F. WARREN, Dallas County Clerk

By Guisla Hernandez, Deputy
Guisla Hernandez



ATTORNEY

CITATION

**PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
Defendant(s)

SERVE:

**RAIMONDA MARKEVICIENE
SERVE THROUGH TED HOUGHTON
CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E 11TH ST
AUSTIN TX 78701-2483**

**ISSUED THIS
23RD DAY OF FEBRUARY, 2017**

JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY

Attorney for Plaintiff

**PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060**

RETURN OF SERVICE

Cause No. CC-17-00786-A

**In The County Court at Law No. 1 of
Dallas County, Texas**

WHITNEY HUDGINS
Plaintiff

V.

EDUARDO HADLEY,
et al
Defendant

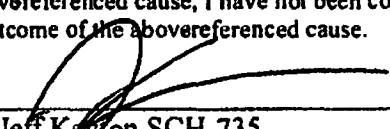
Came to hand on February 24, 2017, at 08:00 AM.

Executed at 125 E. 11th Street, 6th Floor, Austin, TX 78701, within the County of Travis at 10:26 AM on February 24, 2017, by delivering to the within named:

RAIMONDA MARKEVICIENE,

by delivering to the Chair of the Texas Transportation Commission, by and through the Texas Department of Transportation's Office of General Counsel, by delivering to its designated agent, NOVI CAMPBELL, a true copy of this Citation together with Plaintiff's Original Petition and Request for Disclosure, having first endorsed upon such copy of such process the date of delivery, and tendering the \$25 Statutory Fee.

I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under rule 103 and 536(a) of the TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am competent to make this oath: I am not less than 18 years of age, I am not a party to the abovereferenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the abovereferenced cause.

By: 
Jeff Keyton SCH-735,
Exp: 7/31/2017

VERIFICATION

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Jeff Keyton, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this February 24, 2017.




NOTARY PUBLIC, STATE OF TEXAS

17-025076/Hudgins

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

Z TRANS, INC..
SERVE THROUGH SECRETARY OF STATE STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

Z TRANS, INC..
16200 RIDGEWOOD DR.
HOMER GLEN, IL 60491

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WHITNEY HUDGINS
Plaintiff(s)

VS.

EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA ENTERPRISES, INC.
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By Guisla Hernandez, Deputy
Guisla Hernandez



ATTORNEY

**CITATION
PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
Defendant(s)

SERVE:

Z TRANS, INC..
SERVE THROUGH SECRETARY OF STATE
STATE OF TEXAS
1019 BRAZOS RM 220
AUSTIN TX 78701

Z TRANS, INC..
16200 RIDGEWOOD DR.
HOMER GLEN, IL 60491

ISSUED THIS
23RD DAY OF FEBRUARY, 2017

JOHN F. WARREN, COUNTY CLERK
BY: GUISLA HERNANDEZ, DEPUTY

Attorney for Plaintiff

PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060

RETURN OF SERVICE

Cause No. CC-17-00786-A

**In The County Court at Law No. 1 of
Dallas County, Texas**

WHITNEY HUDGINS
Plaintiff

V.

EDUARDO HADLEY,
et al
Defendant

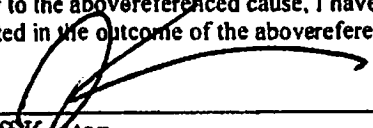
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By: 
Jeff Keyton
SCH-735, Exp: 7/31/2017

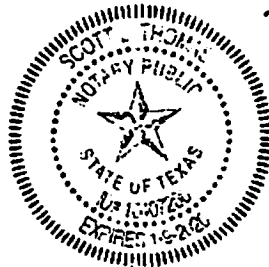
VERIFICATION

STATE OF TEXAS §
COUNTY OF TRAVIS §

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NOTARY PUBLIC, STATE OF TEXAS



17-025078/Hudgins

**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-17-00786-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

**EDUARDO HADLEY
SERVE THROUGH TED HOUGHTON, CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E 11TH ST
AUSTIN TX 78701-2483**

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**WHITNEY HUDGINS
*Plaintiff(s)***

VS.

**EDUARDO HADLEY; RAIMONDA MARKEVICIENE; Z TRANS, INC.; MIDAMERICA
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*Defendant(s)***

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Guisla Hernandez



ATTORNEY

CITATION

**PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-17-00786-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
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WHITNEY HUDGINS, *Plaintiff(s)*

VS.

EDUARDO HADLEY; RAIMONDA
MARKEVICIENE; Z TRANS, INC.;
MIDAMERICA ENTERPRISES, INC.,
Defendant(s)

SERVE:

**EDUARDO HADLEY
SERVE THROUGH TED HOUGHTON
CHAIR OF THE TEXAS
TRANSPORTATION COMMISSION
125 E11TH ST
AUSTIN TX 78701-2483**

**ISSUED THIS
23RD DAY OF FEBRUARY, 2017**

JOHN F. WARREN, COUNTY CLERK
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Attorney for Plaintiff

**PATRICK R WATSON
870 W I-30
SUITE 100
GARLAND TX 75043
214-528-6060**

RETURN OF SERVICE

Cause No. CC-17-00786-A

**In The County Court at Law No. 1 of
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WHITNEY HUDGINS
Plaintiff
V.

EDUARDO HADLEY,
et al
Defendant

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By: _____

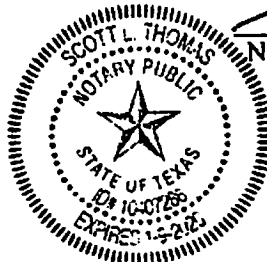
Jeff Keyton SCH-735,
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COUNTY OF TRAVIS §

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Given under my hand and seal of office this February 24, 2017.



NOTARY PUBLIC, STATE OF TEXAS

17-025075/Hudgins

CAUSE NO. CC-17-00786-A

WHITNEY HUDGINS,
Plaintiff,

v.

EDUARDO HADLEY,
RAIMONDA MARKEVICIENE,
Z TRANS, INC. and
MIDAMERICA ENTERPRISES, INC.,
Defendants.

§
§
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§
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IN THE COUNTY COURT

AT LAW NUMBER 1

DALLAS COUNTY, TEXAS

**DEFENDANTS EDUARDO HADLEY AND MIDAMERICA ENTERPRISES'
ORIGINAL ANSWER**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Defendants **EDUARDO HADLEY and MIDAMERICA ENTERPRISES, INC.** named in the above entitled and numbered cause and file this their Original Answer in response to Plaintiff's Original Petition, and in support thereof would respectfully show unto the Court and jury as follows:

I.

GENERAL DENIAL

Defendants generally deny the material allegations contained in Plaintiff's Original Petition and say that, since the Plaintiff has made such allegations, she should be required to prove them by a preponderance of the evidence as required by law, if she is able to do so.

II.

REQUEST FOR JURY TRIAL

Defendants pray that all issues of fact be submitted to a jury pursuant to Rule 216 of the Texas Rules of Civil Procedure.

WHEREFORE, PREMISES CONSIDERED, Defendants pray that the Plaintiff have and recover nothing of the Defendants and that, on trial hereof, the Defendants be discharged with

their costs herein, and for such other and further relief, both at law and in equity, both general and special, to which they may show themselves to be justly and equitably entitled.

Respectfully submitted,

MARTIN, DISIERE, JEFFERSON & WISDOM, L.L.P.

By: /s/Mark J. Dyer

MARK J. DYER

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**ATTORNEYS FOR DEFENDANTS
EDUARDO HADLEY AND
MIDAMERICA ENTERPRISES, INC.**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been e-served to all attorneys of record, in compliance with Rule 21a of the Texas Rules of Civil Procedure, on this the 17th day of March, 2017.

James P. Best
BEST, WATSON & GILBERT, P.C.
870 W. I-30; Suite 100
Garland, Texas 75043

/s/Alan Moore
ALAN MOORE

CAUSE NO. CC-17-00786-A

WHITNEY HUDGINS,
Plaintiff,§
§
§
§
§
§
§
§
§

IN THE COUNTY COURT

v.

AT LAW NUMBER 1

EDUARDO HADLEY,
RAIMONDA MARKEVICIENE,
Z TRANS, INC. and
MIDAMERICA ENTERPRISES, INC.,
Defendants.

DALLAS COUNTY, TEXAS

**DEFENDANTS RAIMONDA MARKEVICIENE AND Z TRANS, INC.'S
SPECIAL APPEARANCE AND ORIGINAL ANSWER FILED SUBJECT THERETO**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, RAIMONDA MARKEVICIENE and Z TRANS, INC. (hereinafter "Defendants") in the above-entitled and numbered cause, and file this their Special Appearance asking the Court to sustain their Special Appearance and in support thereof, respectfully show unto the Court as follows:

I.**BACKGROUND**

Plaintiff is an individual resident of Dallas County, Texas. Plaintiff has sued these Defendants arising out of a motor vehicle accident and has asserted claims for negligence arising out of the accident. However, these Defendants are not residents of the State of Texas and have had no purposeful contacts in this State.

II.**ARGUMENT AND AUTHORITIES**

Texas courts do not have jurisdiction over a nonresident defendant unless the nonresident defendant has purposefully established "minimum contacts" with Texas and the court's exercise of jurisdiction over defendant comports with "fair play and substantial justice." *Burger King*

Corp. v. Rudzewicz, 471 U.S. 462, 474-76 (1985); *Moki Mac River Expeditions v. Drugg*, 221 S.W.3d 569, 575 (Tex. 2007); *BMC Software Belgium, N.V. v. Marchand*, 83 S.W.3d 789, 795 (Tex. 2002); *Guardian Royal Exch. Assurance, Ltd. v. English China Clays, P.L.C.*, 815 S.W.2d 223, 226 (Tex. 1991).

A. No Minimum Contacts

Texas courts must determine whether the nonresident defendant has purposefully established minimum contacts with Texas. *Moki Mac*, 221 S.W.3d at 575-76; *CSR Ltd. v. Link*, 925 S.W.2d 591, 596 (Tex. 1996); *Guardian Royal*, 815 S.W.2d at 226. To prove it had no minimum contacts with Texas, the defendant must show that (1) it did not purposefully avail itself of the privilege of conducting activities within Texas, and (2) any contacts it may have had with Texas do not give rise to specific or general jurisdiction. *See Moki Mac*, 221 S.W.3d at 575-76; *Commonwealth Gen. Corp. v. York*, 177 S.W.3d 923, 925 (Tex. 2005); *BMC Software*, 83 S.W.3d at 795.

To establish purposeful availment, the defendant's acts must be purposeful rather than random, isolated, or fortuitous, and the defendant must have sought some benefit, advantage, or profit in availing itself of Texas jurisdiction. *IRA Res., Inc. v. Griego*, 221 S.W.3d 592, 596 (Tex. 2007); *Moki Mac*, 221 S.W.3d at 575; *Michiana Easy Livin' Country, Inc. v. Holten*, 168 S.W.3d 777, 785 (Tex. 2005). Specifically, Defendants herein did not purposefully avail themselves of the privilege of conducting activities within Texas because of the reasons set forth below.

B. No specific jurisdiction.

Texas courts cannot exercise specific jurisdiction over a nonresident defendant unless the plaintiff's litigation results from injuries that are alleged to arise from or relate to the defendant's contacts with Texas. *Moki Mac*, 221 S.W.3d at 575; *Schlobohm v. Schapiro*, 784 S.W.2d 355,

358 (Tex. 1990); *see Helicopteros Nacionales de Colombia, S.A. v. Hall*, 466 U.S. 408, 414 & n.8 (1984); *Michiana*, 168 S.W.3d at 78485; *BMC Software*, 83 S.W.3d at 79596. The defendant's acts must have a substantial connection with the operative facts of the litigation. *Moki Mac*, 221 S.W.3d at 585. Texas courts do not have specific jurisdiction over the Defendants because Plaintiff's causes of action do not arise from or relate to Defendants' contacts with Texas. Defendants do not have any offices in Texas. Defendants do not joint venture and/or partner with any Texas company and/or resident and do not have a distributor in Texas. Defendants do not market specifically to Texas residents and/or companies. Defendants had no contact with Plaintiff and did not contract with any entity in Texas. Defendants did not perform any acts pertaining to the incident in Texas.

C. No general jurisdiction.

Texas courts cannot exercise general jurisdiction over a nonresident defendant unless the defendant has continuous and systematic contacts with Texas. *PHC-Minden, L.P. v. Kimberly-Clark Corp.*, 235 S.W.3d 163, 169 (Tex. 2007); *Moki Mac*, 221 S.W.3d at 575; *BMC Software*, 83 S.W.3d at 796; *Guardian Royal*, 815 S.W.2d at 230; *see Helicopteros Nacionales de Colombia, S.A. v. Hall*, 466 U.S. 408, 415-16 (1984). Texas courts do not have general jurisdiction over Defendants because Defendants have not had continuous or systematic contacts with Texas. Defendants have no place of business in Texas. Defendants do not joint venture and/or partner with any Texas company and/or resident and do not have a distributor in Texas. Defendants do not have any bank accounts in Texas. Defendants do not actively advertise in Texas or to Texas residents/companies. Defendants do not own property and/or real estate in Texas.

D. Fair Play & Due Process

This Court's assumption of jurisdiction over Defendants and their property will offend traditional notions of fair play and substantial justice and will be inconsistent with the constitutional requirements of due process; therefore, the Court should decline to exercise jurisdiction over Defendants. *See International Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945); *Moki Mac*, 221 S.W.3d at 575; *Guardian Royal*, 815 S.W.2d at 231; *Schlobohm v. Schapiro*, 784 S.W.2d 355, 359 (Tex. 1990). To exercise jurisdiction over these Defendants would place a great burden on the Defendants by requiring them to incur the costs and inconvenience of traveling to Texas to participate in the discovery process and trial.

Conclusion

Defendants do not have the minimum contacts with the State of Texas to justify a Texas court's assumption of jurisdiction. If this court assumes jurisdiction over Defendants, it will offend traditional notions of fair play and substantial justice. For these reasons, Defendants ask the court to sustain Defendants' special appearance.

**DEFENDANTS RAIMONDA MARKEVICIENE'S AND Z TRANS, INC.'S
ORIGINAL ANSWER FILED SUBJECT TO DEFENDANTS' SPECIAL APPEARANCE**

COME NOW, RAIMONDA MARKEVICIENE and Z TRANS, INC. (hereinafter "Defendants"), named in the above-entitled and numbered cause, and subject to Defendants' Special Appearance, file this their Original Answer in response to Plaintiff's Original Petition, and in support respectfully shows the Court and jury as follows:

I.

Defendants generally deny the material allegations contained in Plaintiff's Original Petition and say that since Plaintiff has made such allegations, she should be required to prove them by a preponderance of the evidence as required by law, if she is able to do so.

WHEREFORE, PREMISES CONSIDERED, Defendants **RAIMONDA MARKEVICIENE and Z TRANS, INC.** pray that the Court in all things grant Defendants' Special Appearance. Subject to Defendants' Special Appearance, Defendants pray that the Plaintiff have and recover nothing of the Defendants, and that on trial hereof, Defendants be discharged with their costs herein, and for such other and further relief, both at law and in equity, both general and special, to which they may show themselves to be justly entitled.

Respectfully submitted,

MARTIN, DISIERE, JEFFERSON & WISDOM, L.L.P.

By: /s/Alan Moore
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**ATTORNEYS FOR DEFENDANTS
RAIMONDA MARKEVICIENE AND
Z TRANS, INC.**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been e-served to all attorneys of record, in compliance with Rule 21a of the Texas Rules of Civil Procedure, on this the 21st day of March, 2017.

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/s/Alan Moore
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